

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Genevieve Lamont	Team: Squad #8	CCRB Case #: 201809956	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 11/24/2018 12:40 PM	Location of Incident: Bronx River PKWY s/b exit 5 e177st/Sheridan expy	Precinct: 48	18 Mo. SOL 5/24/2020	EO SOL 1/8/2021	
Date/Time CV Reported Thu, 11/29/2018 1:50 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Thu, 11/29/2018 1:50 PM		
Complainant/Victim	Type	Home Address			
Subject Officer(s)	Shield	TaxID	Command		
1. POM Daniel Matthews	22715	930669	HWY 01		
Officer(s)	Allegation			Investigator Recommendation	
A.POM Daniel Matthews	Discourtesy: Police Officer Daniel Matthews acted discourteously toward § 87(2)(b)				

Case Summary

On November 29, 2018, § 87(2)(b) filed this complaint with the CCRB online.

On November 24, 2018, at approximately 12:40 p.m., § 87(2)(b) was pulled over by PO Daniel Matthews of the 411 Highway Command on the Bronx River Parkway southbound of exit 5 near E. 177th Street and Sheridan Expressway. While handing his license and registration to PO Matthews, § 87(2)(b) also gave him his PBA card. PO Matthews allegedly said, “Did I ask for this?” and threw the PBA card onto § 87(2)(b)’s dashboard (**Allegation A: Discourtesy;**

§ 87(2)(g)

Dash camera footage of the incident was received from the 411 Highway Command. However, the microphone was not activated and the video does not contain any audio of the interaction between § 87(2)(b) and PO Matthews [BR 01].

Findings and Recommendations

Allegation A – Discourtesy: Police Officer Daniel Matthews acted discourteously to § 87(2)(b)

It is undisputed that § 87(2)(b) presented PO Matthews with his PBA card while handing him his license and registration and that PO Matthews returned it. § 87(2)(g)

§ 87(2)(b) was interviewed at the CCRB on December 6, 2018 [BR 02]. § 87(2)(b) stated that when he was pulled over, he informed PO Matthews that he had signaled before merging into the right lane and therefore the officer “had nothing on him.” PO Matthews screamed at § 87(2)(b) yelling “You didn’t see me behind you?” § 87(2)(b) stated that PO Matthews referred to his lack of intelligence, but he could not remember any specific statements. PO Matthews then told § 87(2)(b) to roll up his windows and proceeded to measure the tint percentage on the windshield and front driver and passenger side windows. PO Matthews then informed § 87(2)(b) that his tint percentage was illegal, to which § 87(2)(b) responded that they were not. When § 87(2)(b) handed PO Matthews his license and registration, he placed his PBA card behind his license. PO Matthews saw his PBA card and asked § 87(2)(b) “Did I ask for this?” and threw it into the middle of his dashboard. PO Matthews issued two summonses for the window tints, which “magically” appeared on § 87(2)(b)’s lap and then drove away [BR03].

PO Matthews was interviewed at the CCRB on January 7, 2018 [BR04]. He stated that as soon as he saw § 87(2)(b) pass him on the left, he noticed his dark tints on the windshield and the driver and passenger side windows, and that § 87(2)(b) failed to signal when switching into the right lane. He acknowledged that § 87(2)(b) gave him a PBA card, but returned it to § 87(2)(b) as it was a courtesy card and did not allow him to have illegal tints on his vehicle. PO Matthews handed the card back to him but did not remember if § 87(2)(b) took it from his hand. He reviewed the dash camera footage from the incident prior to his interview, and stated that there was nothing he saw that indicated § 87(2)(b) did not take it from him.

Dash camera footage, found in IA#19, did not capture whether the PBA card was thrown onto § 87(2)(b)’s dashboard. The video did not have audio, as PO Matthews did not check that the microphone was on. The footage showed PO Matthews returning the PBA card to § 87(2)(b) but it could not be seen whether he threw or handed the card back, as the rear of the vehicle blocked the view.



Dash Cam Footage.mp4

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party [BR 05].
- PO Matthews has been a member of service for 16 years and has been subject in seven previous CCRB complaint and 15 allegations, none of which were substantiated. § 87(2)(g)

§ 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of December 27, 2018, a FOIL request was submitted to the New York City Office of the Comptroller and will be added to the case file upon receipt [BR 06].
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: _____

Investigator: _____

Signature	Print Title & Name	Date
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Squad Leader: _____

Signature	Print Title & Name	Date
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Reviewer: _____

Signature	Print Title & Name	Date
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